

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYNQOR, INC.

Plaintiff,

v.

ARTESYN TECHNOLOGIES, INC.,
ASTEC AMERICA, INC.,
BEL FUSE INC.,
CHEROKEE INTERNATIONAL CORP.,
DELTA ELECTRONICS, INC.,
DELTA PRODUCTS CORP.,
LINEAGE POWER CORP.,
MURATA ELECTRONICS NORTH AMERICA,
INC.,
MURATA MANUFACTURING CO., LTD.,
MURATA POWER SOLUTIONS INC.
POWER-ONE, INC.

Defendants.

Civil Action No. 2:07-CV-497-TJW-CE

JURY TRIAL DEMANDED

JOINT PROPOSED DOCKET CONTROL ORDER

In accordance with the case status conference held herein on the 1st day of May, 2008, it is hereby

ORDERED that the following schedule of deadlines is in effect until further order of this court:

December 6, 2010

Jury Selection – 9:00 a.m. in **Marshall, Texas**

November 22, 2010

Pretrial Conference – 9:30 a.m. in **Marshall, Texas**

November 15, 2010

Joint Pretrial Order, Joint Proposed Jury Instructions and Form of the Verdict.

November 10, 2010

Motions in Limine Due

The parties are ordered to **meet and confer** on their respective motions in limine and **advise the court of any agreements in this regard by 3:00 p.m. the business day before** the pretrial conference. The parties shall limit their motions *in limine* to those issues which, if improperly introduced into the trial of the case would be so prejudicial that the court could not alleviate the prejudice with appropriate instruction(s).

November 10, 2010

Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and –mail the Court Reporter, Susan Simmons, at Issimmons@yahoo.com .

November 10, 2010

Response to Dispositive Motions (including *Daubert* motions)¹

Responses to dispositive motions filed prior to the dispositive motion deadline, including Daubert Motions, shall be due in accordance with Local Rule CV-7(e). Motions for Summary Judgment shall comply with Local Rule CV56.

October 27, 2010

Deadline for filing Dispositive Motions and any other Motions that may require a hearing (including *Daubert* motions).

October 15, 2010

Mediation to be completed

October 15, 2010

Defendant to Identify Trial Witnesses

October 4, 2010

Plaintiff to Identify Trial Witnesses

¹ The parties are directed to Local Rule CV-7(d), which provides that “[i]n the event a party fails to oppose a motion in the manner prescribed herein the court will assume that the party has no opposition.” Local Rule CV-7(e) provides that a party opposing a motion has **12 days, in addition to any added time permitted under Fed. R. Civ. P. 6(e)**, in which to serve and file a response and any supporting documents, after which the court will consider the submitted motion for decision.

_____	75 days after claim construction ruling or Oct. 1, 2010, whichever is later, Expert Discovery Deadline
_____	45 days after claim construction ruling or Sept. 1, 2010, whichever is later, Designate Rebuttal Expert Witnesses other than claims construction. Expert witness report due. Refer to Discovery Order for required information
_____	30 days after claim construction ruling or Aug. 17, 2010, whichever is later, comply with P.R. 3-8.
_____	30 days after claim construction ruling or Aug. 17, 2010, whichever is later, party with the burden of proof to designate expert witnesses other than claims construction. Expert witness report due. Refer to discovery order for required information.
_____	15 days after claim construction ruling or Aug. 2, 2010, whichever is later, Fact Discovery Deadline
July 7, 2010	Claim construction hearing 9:00 a.m., Marshall, Texas.
June 14, 2010	Comply with P.R. 4-5(c).
May 24, 2010	Comply with P.R. 4-5(b).
April 19, 2010	Comply with P.R. 4-5(a)
April 12, 2010	Discovery deadline – claims construction issues
April 8, 2010	Comply with P.R. 4-3.
March 9, 2010	Comply with P.R. 4-2.
February 10, 2010	Comply with P.R. 4-1.
November 16, 2009	Respond to amended pleadings
November 2, 2009	Amend pleadings (It is not necessary to file a Motion for Leave to Amend

before the deadline to amend pleadings except to the extent the amendment seeks to add a new patent in suit. It is necessary to file a Motion for Leave to Amend after the amended pleadings date set forth herein.)

April 15, 2009

Join additional parties.

Jan. 5, 2009

Parties shall inform the court if they have no outstanding disputes concerning privileged documents or information.

October 31, 2008

Privilege logs to be exchanged by parties.

July 15, 2008

Comply with P.R. 3-3 and 3-4.

OTHER LIMITATIONS

1. All depositions to be read into evidence as part of the parties' case –in-chief shall be EDITED so as to exclude all unnecessary, repetitious, and irrelevant testimony; ONLY those portions which are relevant to the issues in controversy shall be read into evidence.
2. The Court will refuse to entertain any motion to compel discovery filed after the date of this Order unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good faith attempt to resolve the matter. See Eastern district of Texas Local Rule CV-7(h).
3. The following excuses will not warrant a continuance nor justify a failure to comply with the discovery deadline:
 - (a) The fact that there are motions for summary judgment or motions to dismiss pending;
 - (b) The fact that one or more of the attorneys is set for trial in another court on the same day, unless the other setting was made prior to the date of this order or was made as a special provision for the parties in the other case;
 - (c) The failure to complete discovery prior to trial, unless the parties can demonstrate that it was impossible to complete discovery despite their good faith effort to do so.

SIGNED this 16th day of May, 2008.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE